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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/087,098	03/01/2002	G. Eric Engstrom	41051.P004	1975

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EXAMINER

WEST, LEWIS G

ART UNIT

PAPER NUMBER

2681

DATE MAILED: 07/31/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/087,098

Applicant(s)

ENGSTROM ET AL.

Examiner

Lewis G. West

Art Unit

2681

28

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 March 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 60-79 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 60-65 and 69-79 is/are rejected.
- 7) ☒ Claim(s) 66-68 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 01 March 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 3.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 60-65, and 69-79 are rejected under 35 U.S.C. 102(b) as being anticipated by Harris et al. (US 6,118,986)

Regarding claim 60, Harris discloses a mobile phone (col. 2 lines 44-65) comprising: a body including a processor to execute one or more programming instructions; (item 620; Figures 6, 10, 15)

an interchangeable cover associated with a selected one of a plurality of themes and designed to at least partially cover the body; (Figures 11-14)

an electronic component embedded within the interchangeable cover, and having thematic data stored therein for customizing behavioral aspects of the mobile phone in accordance with the selected theme; (col. 9 lines 41-57; figures 11-14)

first contacting means coupled to the body; and second contacting means coupled to the interchangeable cover, which when engaged with the first contacting means facilitates exchange of the data stored within the electronic component with the body to tailor the operation of the mobile phone based upon the selected theme.(col. 9 line 58-col. 10 line 18)

Regarding claim 61, Harris discloses the mobile phone of claim 60, wherein the electronic component identifies to the body, which group of a plurality of interchangeable covering groups the corresponding interchangeable cover is a member of. (col. 9 lines 41-57; figures 11-14)

Regarding claim 62, Harris discloses the mobile phone of claim 61, wherein each member of a given interchangeable covering group provides thematic operation in accordance with a shared theme. (col. 9 lines 41-57; figures 11-14)

Regarding claim 63, Harris discloses the mobile phone of claim 60, wherein the interchangeable cover is a selected one from a covering group comprising at least one of an interchangeable rigid faceplate and an interchangeable skin, each having a surface design to be complemented by said tailored thematic operation. (Figures 10-15; col. 8 lines 19-27)

Regarding claim 64, Harris discloses the mobile phone of claim 63, wherein said interchangeable cover engages said body by way of one of a contact coupler and a contactless coupler. (col. 8 lines 5-12)

Regarding claim 65, Harris discloses the mobile phone of claim 63, wherein the data exchanged comprises at least one of a name, a phone number, a resource server specification, an email address, an electronic coupon, a font style, an identifier identifying the interchangeable cover, and an approval code. ; (col.9 lines 41-57; figures 11-14)

Regarding claim 69, Harris discloses the mobile phone of claim 63, wherein the data exchanged comprises a video data file to complement the theme associated with the interchangeable cover. (col. 8 line 28-35)

Regarding claim 70, A mobile phone comprising: a body portion including a processor to execute one or more programming instructions; an interchangeable cover portion having an electronic component embedded therein, said electronic component containing data associated with a selected one of a plurality of themes stored therein; and an interface to facilitate exchange of the thematic data between the interchangeable cover and the processor to customize one or more operational aspects of the mobile phone in accordance with the selected theme. (col. 9 line 41- col. 10 line 18; figures 10-15)

Regarding claim 71, Harris discloses the mobile phone of claim 70, wherein the electronic component identifies to the body portion, which group of a plurality of interchangeable covering groups the corresponding interchangeable cover portion is a member of. (col.9 lines 41-57; figures 11-14)

Regarding claim 72, Harris discloses the mobile phone of claim 71, wherein each member of a given group of interchangeable coverings provides thematic operation in accordance with a shared theme. (col.9 lines 41-57; figures 11-14)

Regarding claim 73, Harris discloses the mobile phone of claim 70, wherein the interchangeable cover portion is a selected one from a covering group comprising at least one of an interchangeable rigid faceplate and an interchangeable skin, each having a surface design to be complemented by said tailored thematic operation. (Figures 10-15; col. 8 lines 19-27)

Regarding claim 74, Harris discloses the mobile phone of claim 73, wherein the data exchanged comprises at least one of an audio data file and a video data file. (col. 8 line 28-35)

Regarding claim 75, Harris discloses a mobile phone comprising: a body; and an interchangeable covering including an electronic component having data encoded therein, the

interchangeable covering being removably engaged with the body to facilitate exchange of data between the body and the electronic component resulting in tailored thematic operation of the mobile phone based at least in part upon the encoded data. (Col. 9 line 41- col. 10 line 18; figures 10-15)

Regarding claim 76, Harris discloses the mobile phone of claim 75, wherein the electronic component identifies to the body, which group of a plurality of interchangeable covering groups the corresponding interchangeable cover is a member of. (Col.9 lines 41-57; figures 11-14)

Regarding claim 77, Harris discloses the mobile phone of claim 76, wherein each member of a given group of interchangeable coverings provides thematic operation in accordance with a shared theme. (Col.9 lines 41-57; figures 11-14)

Regarding claim 78, Harris discloses The mobile phone of claim 75, wherein the interchangeable covering is a selected one from a covering group comprising at least one of an interchangeable rigid faceplate and an interchangeable skin, each having a surface design to be complemented by said tailored thematic operation. (Figures 10-15; col. 8 lines 19-27)

Regarding claim 79, Harris discloses the mobile phone of claim 78, wherein the data exchanged comprises at least one of an audio data file and a video data file. (col. 8 line 28-35)

Allowable Subject Matter

3. Claims 66-68 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Art Unit: 2681

Regarding claim 66, the prior art teaches the limitations of the base and intervening claims regarding interchangeable coverings. The prior art does not teach or fairly suggest the transfer of audio data files to complement the theme of the interchangeable cover in combination with all the other claimed limitations. None of the prior art discloses the limitations as claimed.

Claims 67 and 68 depend directly from claim 66 and are therefore objected to on similar grounds. None of the prior art discloses the limitations as claimed.

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Williams (US 5,832,388) shows a portable phone that receives various accessories on the outside of the housing and the exchange of data between the phone and accessory. Krohn et al (US 4,899,368) discloses a device wherein a switchable face affects the function of a telephone device. Anten (US 5,140,632) discloses a detachable cover, which adds functionality to a phone, but is not coupled to the device for data transfer. Sylvan et al. (US 5,572,573) discloses switchable overlays to aid in the proper operation of a touch screen, which may be operated in different configurations.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lewis G. West whose telephone number is 703-308-9298. The examiner can normally be reached on Monday-Thursday 6:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dwayne Bost can be reached on 703-305-4778. The fax phone numbers for the

Art Unit: 2681

organization where this application or proceeding is assigned are 703-872-9314 for regular communications and 703-872-9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-306-0377.



Lewis West
(703) 308-9298
July 23, 2002



DWAYNE BOST
SUPERVISORY PATENT EXAMINER
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